

From: Levick SC

To: 2025142836

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GLOBAL HIGH-STAKES COMMUNICATIONS



June 11, 2009

U.S. Department of Justice  
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Registration Unit  
1400 New York Ave., N.W.  
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To Whom It May Concern:

Please find enclosed the press release headlined "Guantanamo Attorney: Investigate Obama Administration's Failure to Comply with Supreme Court Before Starting Sotomayor Confirmation Process" and include it with the file for Levick Strategic Communications, registration number 5649.

Please call Levick Strategic Communications at (202) 973-1300 with any questions.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Pat Ramsay', is written over a horizontal line.

Pat Ramsay  
Chief Financial Officer  
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WASHINGTON, DC NEW YORK LONDON

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**Kuwaiti Family Committee**  
[www.kuwaitifreedom.org](http://www.kuwaitifreedom.org)

**FOR IMMEDIATE RELEASE**

June 9, 2009

## **Guantanamo Attorney: Investigate Obama Administration's Failure to Comply with Supreme Court Before Starting Sotomayor Confirmation Process**

*Confirmation should not proceed until the Obama administration's compliance with Supreme Court decisions is examined, says Kuwaiti Detainees Lawyer David Cynamon*

**WASHINGTON, DC** – The lead attorney for the Kuwaiti detainees at Guantanamo Bay today called on Congress to delay the confirmation hearings for Supreme Court nominee Sonia Sotomayor until the Obama administration's commitment to the rule of law and compliance with Supreme Court decisions is examined.

The Supreme Court, in an historic decision one year ago this week, upheld the right of Guantanamo detainees to the writ of habeas corpus. Yet, despite the Supreme Court's admonition that the detainees be given "prompt hearings," only a handful of these cases have been heard because of the government's stall tactics, delays and determined resistance.

"I am writing to ask that you schedule a Judiciary Committee hearing on the Obama Administration's failure to comply with *Boumediene v. Bush*, in which the Supreme Court upheld the right of Guantanamo detainees to the writ of habeas corpus, before you schedule a Committee hearing on the confirmation of President Obama's nominee to the Supreme Court," attorney David Cynamon wrote today in a letter to Judiciary Committee Chairman Patrick Leahy (D-VT).

The Obama administration, which promised to restore the rule of law and depart from the Bush administration's legacy on detainee issues, has so far failed on both counts, according to Cynamon.

"The Bush Administration Department of Justice did everything in its power to delay and obstruct the habeas cases from proceeding in federal court. This was disappointing but not surprising," Cynamon wrote. "What has been surprising is that the Obama Justice Department has maintained the same policy of delay and obstruction."

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Cynamon also noted that frustration at the government's delays is shared by at least one federal judge, Colleen Kollar-Kotelly, who ordered a government lawyer removed from the Kuwaitis' case for repeatedly failing to comply with court-ordered deadlines.

In April, Cynamon wrote to Attorney General Eric Holder asking him to intervene in the Kuwaitis' case and put an end to the administration's continued obstruction and delays.

"We ask you to apply the same professional standards you displayed in Senator Stevens' case...and make clear to all of the Department's attorneys – line and supervisory – that they must comply with, not obstruct, the Supreme Court ruling that the Guantanamo petitioners are entitled to prompt and fair hearings," Cynamon wrote to Holder on April 13, 2009.

To date, Holder has not responded to Cynamon's letter.

Currently, four Kuwaitis remain in Guantanamo, where they have been imprisoned for nearly eight years. Their habeas hearings, to which the Supreme Court on June 12, 2008, ruled they are entitled, have yet to be scheduled following months of delays and obstructions by the Obama administration.

Attached is a copy of Cynamon's letter to Sen. Leahy, a copy of Cynamon's letter to Attorney General Holder and Judge Colleen Kollar-Kotelly's ruling criticizing the government's handling of the Kuwaitis' case.

#### **About the Kuwaiti Family Committee:**

The Kuwaiti Family Committee's mission is to seek justice for the remaining Kuwaiti detainees at Guantanamo Bay. The organization is led by Khalid Al-Odah, the father of Guantanamo detainee Fawzi Al-Odah, and includes in its membership approximately 100 relatives of the prisoners. They are only asking for due process of law for their fathers, brothers, and sons, including speedy proceedings either to release them or to charge and try them in a fair process.

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*This press release is distributed by Levick Strategic Communications on behalf of the International Counsel Bureau. Additional information is available at the Department of Justice in Washington, D.C.*